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10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA (SAN DIEGO)

12 MILLENNIUM LABORATORIES,
13 INC.,

14 Plaintiff,

15 v.

16 DARWIN SELECT INSURANCE
17 COMPANY,

18 Defendant.

19 DARWIN SELECT INSURANCE CO.,
20 and

21 ALLIED WORLD ASSURANCE
22 COMPANY (U.S.) INC.

23 Counterclaim plaintiffs,

24 v.

25 MILLENNIUM LABORATORIES,
26 INC.,

27 Counterclaim defendant.

Case No. 3:14-CV-00295-BAS-JLB

**JOINT STATUS REPORT AND
NOTICE OF SETTLEMENT**

28 On April 12, 2018, this Court issued an order continuing the stay in this
matter, and ordered the parties to file a joint report with the Court by May 21, 2018.
Plaintiff and Counterclaim Defendant Millennium Laboratories, Inc.
("Millennium"), Defendant and Counterclaim Plaintiff Darwin Select Insurance

1 Company (“Darwin”), and Counterclaim Plaintiff Allied World Assurance
2 Company (U.S.), Inc. (“AWAC”) (collectively, the “Parties”) now jointly report that
3 this matter has been settled.

4 The settlement between the parties has been documented and fully executed.
5 The parties anticipate filing a stipulated dismissal within 30 days, after the final term
6 of settlement before dismissal has been satisfied.

7
8 Dated: May 15, 2018

ABELSON HERRON HALPERN LLP

9
10 /s/ Marc D. Halpern

11 Marc D. Halpern

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16
17 Attorneys for Plaintiff and
18 Counterclaim Defendant Millennium
Laboratories, Inc.

1 Dated: May 15, 2018

HANGLEY ARONCHICK SEGAL
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2
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13 Counterclaim Plaintiff Darwin Select
14 Insurance Company and
15 Counterclaim Plaintiff Allied World
16 Assurance Company (U.S.) Inc.
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CERTIFICATE OF SERVICE

I, Marc D. Halpern hereby certify that on May 15, 2018, the foregoing **NOTICE OF SETTLEMENT** was filed electronically with the Clerk of the Court using the CM/ECF system, which sent a Notification of Electronic Filing to the persons at the email addresses listed immediately below. The foregoing document is available for viewing and downloading from the CM/ECF system. Accordingly, pursuant to the Court's Local Rule 5.4(c), I caused the documents to be sent electronically from the CM/ECF system to the persons listed immediately below.

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I declare under penalty of perjury that the foregoing is true and correct.
Executed on May 15, 2018, at San Diego, California.

/s/ Marc D. Halpern
Marc D. Halpern